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DIS. CT. # 02-23

No. 02-4266

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APR 29 2005

LEONARD GREEN, Clerk

UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT

UNITED STATES OF AMERICA,  
Plaintiff - Appellee

v.

ROBERT SCHNEIDER,  
Defendant - Appellant

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1102 cr-23  
(Beckwith)

Before: BATCHELDER and GIBBONS, Circuit Judges; COHN, District Judge\*

This matter comes before the court upon remand from the U.S. Supreme Court, which on January 24, 2005 granted defendant Schneider's petition for a writ of certiorari, vacated the judgment of this court, and remanded for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_, 125 S.Ct. 738 (2005). *Schneider v. United States*, 125 S.Ct. 1091 (2005).

Upon consideration, this matter is REMANDED to the district court for resentencing in light of *Booker*.

ENTERED BY ORDER OF THE COURT

  
Leonard Green, Clerk

\* The Honorable Avern Cohn, United States District Judge for the Eastern District of Michigan, sitting by designation.